

# Court of Appeals, State of Michigan

## ORDER

Atreisha Gaskin v Amin Mikal Abbott

Docket No. 261117

LC No. 04-408992-NI

Christopher M. Murray  
Presiding Judge

Helene N. White

Brian K. Zahra  
Judges

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The Court orders, pursuant to MCR 7.205(D)(2), that the February 8, 2005, order of the Wayne Circuit Court denying summary disposition to defendant hereby is REVERSED. Plaintiff's injuries do not meet the threshold required to recover under the no-fault act, MCL 500.3135(2). As acknowledged by the circuit court, plaintiff's impairment was of a short duration. Although plaintiff still complains about pain, her injuries otherwise have resolved. She wore a cast on her ankle for approximately six months, but she was able to resume doing her daily activities and obtain employment, within three months of the accident. For a short time immediately after the accident, plaintiff had physician-imposed restrictions. After that timeframe, however, any restrictions were self-imposed. Plaintiff's injuries thus do not comprise a serious impairment of body function as set forth in *Kreiner v Fischer*, 471 Mich 109, 130-131; 683 NW2d 611 (2004). The case is REMANDED to the circuit court for further proceedings consistent with this order.

The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 04 2005

Date

*Sandra Schultz Mengel*  
Chief Clerk